

# **EXHIBIT 367**



# United Egg Producers

## UEP Headquarters

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**Egg Nutrition Center**  
Dr. Don McNamara  
Executive Director

Dr. Jill Snowdon  
Director of Food Safety Programs

Dear UEP Members,

February 1, 2000

## EXPORT ORDER ACCEPTED

UEP's Export Committee met via conference call today to decide upon participating with USEM members in filling an export order of 120 containers of class 1 or graded loose eggs weighing 48# pounds per case. Each container will consist of approximately 800 cases.

The committee voted to participate at the same percentage of the total volume as in the past. This commitment will require UEP members to fill 30 loads of eggs over a 3 week period beginning Monday February 7<sup>th</sup>.

In order to maximize the impact upon the domestic price for eggs, your best bet is to offer eggs in the open market of public trading. UEP's egg traders, Billie Jo Corell, Terry Oliver, and Randy Nelson will welcome any member wanting to provide eggs for this export order. They can advise you of the USDA certificate requirement and case weight requirements. You are welcome to call them at the following toll free numbers:

Billie Jo Corell @ 800-854-5123

Terry Oliver @ 800-805-3447

Randy Nelson @ 877-741-9080

UEP will sell the eggs to the exporter (USEM) at a price of 28 cents per dozen delivered to the Eastern port for shipment.

The difference between the purchase price of the eggs and the 28 cent sale price plus trans-loading charges at the port will be charged to those members committing to support the export order. It's a win-win situation. While you have committed to sharing the cost with your fellow producers, everyone benefits from a rise in the domestic market quote on all your eggs. Not everyone can or needs to provide eggs but we need every member to support the export order by agreeing to share in the costs. Anyone having questions about how this actually works is invited to call the UEP office for further clarification.



Official U.S. Council Representative



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**UEP Iowa Office**  
Box 170  
Eldridge, IA 52748  
(319) 285-9100 Fax (319) 285-9109

We are also enclosing an export commitment form and urge all other members to sign the form and fax back to UEP as quickly as possible. Help yourself to better egg prices by committing to support this and possibly other export orders.

One final important note! .... In order to correct our over-supply problem and return to long-term profits for the industry, we must maintain our supply management programs of reducing the flock size and reducing our chick hatch placements during 2000. Don't be misled by short term price increases as a result of filling export orders. Do not plan your production based upon the potential of exporting large volumes. These export orders are a tremendous benefit but certainly not the final solution to our over-supply problem.

Thanks for your participation.

Sincerely,



Gene W. Gregory  
Senior Vice President

# UEP EXPORT COMMITMENT

Our company recognizes the importance of a cooperative effort in filling large export orders of fresh shell eggs. To confirm our commitment to this initiative, our company agrees to participate in all shell egg export orders taken by USEM and approved by the UEP Export Committee.

We understand that UEP's egg traders will purchase the eggs for any export delivery in the open market and allocate the profit or loss from the export sale to participating companies at an equal rate per layer owned or managed by those having signed this form.

This agreement may be terminated with a 30 day notice, except no agreement may be terminated during a current export. During the term of this agreement, we agree to accept and promptly pay our share of the export costs.

We agree to participate based upon \_\_\_\_\_ layers owned or managed by our company.

Date: \_\_\_\_\_ Company: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

## RETURN BY MAIL OR FAX

UEP Fax # 770-587-0041    Address:    1303 Hightower Trail, Suite 200  
Atlanta, Ga. 30350